

IN THE UNITED STATES DISTRICT COURT FOR  
THE NORTHERN DISTRICT OF ALABAMA  
EASTERN DIVISION

FEDERAL INSURANCE COMPANY, )  
PACIFIC EMPLOYERS INSURANCE )  
COMPANY, ACE AMERICAN )  
INSURANCE COMPANY, ACE )  
PROPERTY AND CASUALTY )  
INDEMNITY INSURANCE COMPANY )  
OF NORTH AMERICA, and )  
WESTCHESTER FIRE INSURANCE )  
COMPANY, )  
Plaintiffs, ) CIVIL ACTION NO.  
v. ) 1:23-cv-01367-RDP  
SHAW INDUSTRIES, INC., ) UNOPPOSED MOTION  
Defendant. )  
and )  
FIREMAN'S FUND INSURANCE )  
COMPANY, et al. )  
Nominal Defendants. )

**FIREMAN'S FUND INSURANCE COMPANY'S UNOPPOSED MOTION  
FOR EXTENSION OF TIME**

COMES NOW, FIREMAN'S FUND INSURANCE COMPANY (“Fireman's Fund”), pursuant to Fed. Rule Civ. P. 6(b)(1)(A), and moves for a 30-day extension of time to respond to the Complaint filed by Federal Insurance Company, Pacific Employers Insurance Company, ACE American Insurance

Company, ACE Property and Casualty Insurance Company, Indemnity Insurance Company of North America, and Westchester Fire Insurance Company (collectively “Federal”). In support of this Motion, Fireman's Fund states as follows:

1. On October 11, 2023, Federal filed this action for declaratory relief pursuant to 28 U.S.C. Section 2201 (the “Declaratory Judgment Act”). (Doc. 1)
2. On October 23, 2023, Federal's Complaint was served on Fireman's Fund.
3. Fireman's Fund's response is due by November 13, 2023.
4. Because of the number of insurance carriers involved, including the Nominal Defendants, and the necessity of having all nominal defendants served so that this matter can move forward with judicial efficiency and economy, Fireman's Fund request a 30-day extension of time to respond to Federal's Complaint for Declaratory Judgment.
5. This motion is authorized by Fed. Rule of Civ. P. 6(b)(1)(A). This request is made in good faith and not for the purpose of delay.
6. Additionally, no party will be prejudiced by this extension.
7. Counsel for Fireman's Fund has conferred with counsel for Federal and Federal does not oppose the requested extension.

8. Accordingly, Fireman's Fund respectfully requests a 30-day extension of time to file its response to the Complaint for Declaratory Judgment, with the deadline for its response being December 13, 2023.

Respectfully submitted,

s/ Scott M. Salter

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*Attorney for Nominal Defendant, Fireman's Fund Insurance Company*

### **CERTIFICATE OF SERVICE**

I do hereby certify that on November 7, 2023, I electronically filed the foregoing with the Clerk of Court using the CM/ECF system, which will send electronic notification of such filing to the following counsel of record:

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, and I hereby certify that I have mailed by United States Postal Service the foregoing to the following non-CM/ECF participants:

Shaw Industries Group, Inc.  
c/o Corporation Service Company, Inc.  
641 South Lawrence Street  
Montgomery, AL 36104

Commerce & Industry Insurance Company  
c/o AIG  
1271 Avenue of the Americas, 35<sup>th</sup> Floor  
New York, NY 10020-1304

First State Insurance Company  
100 High Street, Suite 610A  
Boston, MA 02110

Employers Mutual Liability Insurance Company  
c/o CT Corporation  
2 North Jackson Street, Suite 605  
Montgomery, AL 36104

Great American Insurance Company  
c/o United Agent Group, Inc.  
4000 Eagle Point Corporate Drive  
Birmingham, AL 35242

U.S. Fire Insurance Company  
c/o Fairfax Financial group  
305 Madison Avenue  
Morristown, NH 07962

Travelers Casualty and Surety Company  
c/o Corporation Service Company  
641 South Lawrence Street  
Montgomery, AL 36104

Westport Insurance Corporation  
f/k/a Puritan Insurance Company

5200 Metcalf Avenue  
Overland Park, KS 66201

*s/ Scott M. Salter*  
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OF COUNSEL